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6 Attorneys for Plaintiff  
United States of America  
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8 UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA  
10

11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13 v.  
14 RAFAEL OMERO PLATA GUERRERO,  
15 Defendant.  
16

CASE NO: 5:24-MJ-00035-CDB

STIPULATION BETWEEN THE UNITED STATES  
AND DEFENDANT REGARDING PRODUCTION  
OF PROTECTED INFORMATION; PROTECTIVE  
ORDER

17  
18 WHEREAS, the discovery in this case contains private personal information regarding minors  
19 and other third parties, including but not limited to their names, ages, and/or physical descriptions  
20 (“Protected Information”); and

21 WHEREAS, the parties desire to avoid both the necessity of large scale redactions and the  
22 unauthorized disclosure or dissemination of this information to anyone not a party to the court  
23 proceedings in this matter;

24 The parties agree that entry of a stipulated protective order is therefore appropriate.

25 THEREFORE, defendant RAFAEL OMERO PLATA GUERRERO, by and through his counsel  
26 of record, Eric Kersten (“Defense Counsel”), and the United States of America, by and through  
27 Assistant United States Attorney Brittany M. Gunter, hereby agree and stipulate as follows:  
28

1       1. This Court may enter a protective order pursuant to Rule 16(d) of the Federal Rules of  
2 Criminal Procedure, as well as its general supervisory authority.

3       2. This Order pertains to all discovery provided to or made available to Defense Counsel as  
4 part of discovery in this case (hereafter, collectively known as “the discovery”).

5       3. By signing this Stipulation and Protective Order, Defense Counsel agrees not to share any  
6 documents or other information that contain Protected Information with anyone other than Defense  
7 Counsel’s attorneys, designated defense investigators, designated defense experts, and support staff.  
8 Defense Counsel may permit the defendant to view unredacted documents or other information in the  
9 presence of his attorneys, defense investigators, and/or support staff. The parties agree that Defense  
10 Counsel, defense investigators, and support staff shall not allow the defendant to copy Protected  
11 Information contained in the discovery. The parties agree that Defense Counsel, defense investigators,  
12 and support staff may provide the defendant with copies of documents or other information, if any, from  
13 which Protected Information has first been redacted.

14      4. The discovery and information therein may be used only in connection with the litigation  
15 of this case and for no other purpose. The discovery is now and will forever remain the property of the  
16 United States of America (“Government”). Defense Counsel will return the discovery to the Government  
17 or alternatively keep it archived within its sole possession at the conclusion of the case.

18      5. Defense Counsel will store the discovery in a secure place and will use reasonable care to  
19 ensure that it is not disclosed to third persons in violation of this agreement.

20      6. Defense Counsel shall be responsible for advising the Defendant, employees, and other  
21 members of the defense team, and defense witnesses of the contents of this Stipulation and Order.

22      7. In the event that Defendant substitutes counsel, undersigned Defense Counsel agrees to  
23 return the discovery to the government, or, at the request of government counsel, to forward it to new  
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26      ///  
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1 counsel after new counsel has confirmed to government counsel in writing his or her agreement to the  
2 terms of this Order.

3  
4 IT IS SO STIPULATED.

5 Dated: 9/26/24

6 By:

  
7 ERIC KERSTEN  
Attorney for Defendant  
Rafael Omero Plata Guerrero

8  
9 Dated: September 26, 2024

PHILLIP A. TALBERT  
United States Attorney

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11 By: /s/ BRITTANY M. GUNTER  
12 BRITTANY M. GUNTER  
13 Assistant U.S. Attorney

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IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
9

10 UNITED STATES OF AMERICA,

CASE NO. 5:24-MJ-00035-CDB

11 Plaintiff,

PROTECTIVE ORDER

12 v.  
13

14 RAFAEL OMERO PLATA GUERRERO,

15 Defendant.  
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17 For good cause shown, the stipulation between counsel dated September 26, 2024, in Case No.  
18 5:24-MJ-00035-CDB, regarding discovery and treatment of Protected Information is approved.

19 IT IS SO ORDERED.  
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21 DATED: September 27, 2024

22   
23 HON. CHRISTOPHER D. BAKER  
24 UNITED STATES MAGISTRATE JUDGE  
25  
26  
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